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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,694	08/20/2003	Ronald Jon Lander	1937-1-3	6721

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EXAMINER

WASHBURN, DOUGLAS N

ART UNIT PAPER NUMBER

2863

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/644,694	LANDER, RONALD JON	
	Examiner	Art Unit	
	Douglas N. Washburn	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 24/5/04 & 10/01/05.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

- 1 Claim 15 is objected to because of the following informalities:

The phrase "the subsequent processing" lacks antecedence.

Correction is required.

Claim Rejections - 35 USC § 102

- 2 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-14 and 16-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Kmack et al. (US 6, 304, 851)(Hereafter referred to as Kmack).

Kmack teaches:

For each task of a plurality of observed tasks, a display presents a plurality of generic task description options to describe the task in regard to claim 1

(e.g.; column 3, lines 38-65);

A chronometer accepts input from a user to select one task description option for a task.

(e.g.; column 3, lines 38-65);

A data carrier containing a computer program which, when run on a general purpose computer, causes the computer to be a chronometer in regard to claims 2, 6, 8, 10, 12, 14, 16, 22, 24, 26, 28, 30 and 32

(e.g.; column 3, lines 51-65);

A data carrier is a memory device in regard to claims 3 and 18

(e.g.; column 3, lines 51-65);

A data carrier is an electronic signal in regard to claims 4 and 19

(e.g.; column 3, lines 42-44);

Each option is presented on a display with an icon in regard to claims 5, 20 and 23

(e.g.; column 8, lines 48-57);

One of the options represents an unknown task and selection of this option by a user allows the user to enter a textual description of the task in regard to claim 7

(e.g.; column 13, lines 9-12);

Option descriptions are loaded into a memory of a chronometer by copying from an external memory coupled to the chronometer in regard to claims 9 and 29

(e.g.; column 8, lines 5-8);

Options are presented on a touch screen and the input from a user is accepted from the touch screen in regard to claim 11

(e.g.; column 8, lines 48-52);

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Data sets collected for each of a plurality of tasks which all have the same generic task description are associated together by the shared task description for subsequent processing together in regard to claims 13 and 31

(e.g.; column 5, lines 16-29);

A data carrier containing a plurality of generic task description options to describe a task to be observed in a time study, for copying into a time studies chronometer with a changeable display for presenting the options on the display in regard to claim 17

(e.g.; column 3, lines 38-65);

Each of a plurality of tasks to be observed, a display presents a plurality of generic task characterization options to characterize a task in regard to claim 21

(e.g.; column 3, lines 38-65);

A chronometer accepts input from a user to select one task characterization option in regard to claim 21

(e.g.; column 3, lines 38-65);

Options include a characterization of value added or no value added in regard to claim 25

(e.g.; column 12, lines 6-19);

Options include a characterization of a method of inspection wherein the options comprise sight, touch, and device in regard to claim 27

(e.g.; column 8, lines 17-20; figure 1);

And optional characterizations are loaded into a memory of a chronometer by copying from an external memory coupled to the chronometer in regard to claim 29

(e.g.; column 8, lines 5-8).

Claim Rejections - 35 USC § 103

3 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kmack in view of Sellie, Sr. (US 5,557,553)(Hereafter referred to as Sellie).

Kmack teaches:

For each task of a plurality of observed tasks, a display presents a plurality of generic task description options to describe the task in regard to claim 1

(e.g.; column 3, lines 38-65);

A chronometer accepts input from a user to select one task description option for a task.

(e.g.; column 3, lines 38-65);

A data carrier containing a computer program which, when run on a general purpose computer, causes the computer to be a chronometer in regard to claims 2, 6, 8, 10, 12, 14, 16, 22, 24, 26, 28, 30 and 32

(e.g.; column 3, lines 51-65);

A data carrier is a memory device in regard to claims 3 and 18
(e.g.; column 3, lines 51-65);

A data carrier is an electronic signal in regard to claims 4 and 19
(e.g.; column 3, lines 42-44);

Each option is presented on a display with an icon in regard to
claims 5, 20 and 23
(e.g.; column 8, lines 48-57);

One of the options represents an unknown task and selection of this option by a
user allows the user to enter a textual description of the task in regard to claim 7
(e.g.; column 13, lines 9-12);

Option descriptions are loaded into a memory of a chronometer by copying from
an external memory coupled to the chronometer in regard to claims 9 and 29
(e.g.; column 8, lines 5-8);

Options are presented on a touch screen and the input from a user is accepted
from the touch screen in regard to claim 11
(e.g.; column 8, lines 48-52);

Data sets collected for each of a plurality of tasks which all have the same
generic task description are associated together by the shared task description
for subsequent processing together in regard to claims 13 and 31
(e.g.; column 5, lines 16-29);

A data carrier containing a plurality of generic task description options to describe a task to be observed in a time study, for copying into a time studies chronometer with a changeable display for presenting the options on the display in regard to claim 17

(e.g.; column 3, lines 38-65);

Each of a plurality of tasks to be observed, a display presents a plurality of generic task characterization options to characterize a task in regard to claim 21

(e.g.; column 3, lines 38-65);

A chronometer accepts input from a user to select one task characterization option in regard to claim 21

(e.g.; column 3, lines 38-65);

Options include a characterization of value added or no value added in regard to claim 25

(e.g.; column 12, lines 6-19);

Options include a characterization of a method of inspection wherein the options comprise sight, touch, and device in regard to claim 27

(e.g.; column 8, lines 17-20; figure 1);

And optional characterizations are loaded into a memory of a chronometer by copying from an external memory coupled to the chronometer in regard to claim 29

(e.g.; column 8, lines 5-8).

Kmack does not fully teach for time data, subsequent processing includes one or more of computing a range, distribution, standard deviation, mean, or median.

Sellie teaches for time data, subsequent processing includes one or more of computing a range, distribution, standard deviation, mean, or median in regard to claim 15

(e.g.; column 15, lines 4-13).

Regarding claim 15, it would have been obvious to one skilled in the art at the time of the instant invention to modify the teaching of Kmack of for each task of a plurality of observed tasks, a display presents a plurality of generic task description options to describe the task with the teaching of Sellie of for time data, subsequent processing includes one or more of computing a range, distribution, standard deviation, mean, or median because "time and motion study reports may be used to ... identify a change in the work process of the ... operation to improve how they service ... outlets".

Conclusion

3 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N. Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

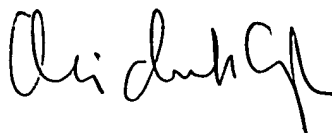
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DNW



MICHAEL NGHIEM
PRIMARY EXAMINER

3/31/05